

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Howard, William G. Examiner: Cr peau, J.
Serial No.: 09/067,208 Group Art Unit: 1745
Filed: April 28, 1998 Docket: P-7860.00
Title: CURRENT COLLECTOR FOR LITHIUM ELECTRODE

RESPONSE

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Box AF

Dear Sir:

The following is in response to the Office Action mailed November 13, 2002, having a three-month statutory period for response set to expire on February 13, 2003. A Petition for a two-month extension of time has been submitted herewith, thereby extending the due date for response to April 13, 2003. The following remarks are respectfully submitted.

The pending claims stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 5,549,717 to Takeuchi et al. ("Takeuchi") in view of U.S. Patent No. 5,439,760 to Howard et al. ("Howard"). The rejections are respectfully traversed.

In the November 13, 2002 Office Action, the Examiner rejects Applicants arguments filed October 17, 2002 that Howard supports the claimed limitation of the anode current collector being shorter in length than the alkali strip metal. In particular, the Examiner states that while FIGS. 1 and 3A of Howard show that the edge of strip 15 extends beyond the edge of the anode current collector 5, the top layer of the alkali metal 10 obscures the view on the left-hand side of the end portions of the alkali metal layer 15 and the current collector 5. Therefore,

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the Examiner asserts, it is not clear that Howard teaches the anode current collector is shorter in length than the alkali strip metal.

However, as described at column 4, lines 59-66 of Howard, Howard teaches an anode assembly 1 that includes a current collector 5 having a first layer of alkali metal 10 on one side and a second layer of alkali metal 15 on the other side. As described at column 3, lines 25-46, the anode assembly 1 is enclosed within a pouch of separator material to prevent the transport of stray material into the cell. Further, as described at column 5, lines 44-49, the separator 25 is pressed into the surface of the alkali metal 10, 15 of the anode assembly 1 such that the alkali metal deforms into intimate contact with the separator 25 and bonds to the separator 25. Therefore, in order for the separator 25 to bond with the alkali metal layer 15 at the obscured end referenced by the Examiner and enclose the anode assembly, the alkali metal layer 15 needs to extend out beyond the anode current collector 5 at the obscured end. As a result, anode current collector 5 must be shorter in length than alkali metal layer 15 at both ends.

Therefore, it is respectfully asserted that Howard does teach the anode current collector being shorter than the alkali metal layer, the Examiner's assertion that the instant claims are not entitled to the filing date of Howard is in error, and therefore reliance on the parent Howard patent for teaching the claimed invention is erroneous. In addition, since the instant claims are entitled to the filing date of the Howard patent, Takeuchi is not applicable because it is predated by Howard. Accordingly, there are no teachings of the present invention in the prior art and it is therefore respectfully requested that the rejections be withdrawn.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

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Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned attorney to attend to these matters.

Respectfully submitted,

William G. Howard,
By his attorney,


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Date: April 11, 2003

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